

KCC 4809.4 (K-C 16,733.2)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Beitz, et al.

Art Unit

Serial No. 10/768,264

Filed January 30, 2004

Confirmation No. 5948

For PERSONAL CARE ABSORBENT ARTICLE HAVING SPLICED ABSORBENT  
MATERIAL

Examiner Norca Liz Torres Velazquez

January 3, 2006

DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. §1.131

We, Mark J. Beitz, Alissa R. Bruss, and Robert J. Makolin,  
declare as follows:

1. We are the joint inventors of the subject matter claimed in the above-entitled United States divisional patent application, Serial Number 10/768,264.
2. We are also the joint inventors of the subject matter claimed in United States Patent No. 6,863,945, which issued from application Serial Number 10/039,238 filed December 31, 2001. The above-entitled application is a divisional application of and claims priority to application Serial Number 10/039,238. The subject matter of the claims of the divisional application referenced in paragraph 1 above is disclosed in the '238 application from which priority is claimed
3. At the time of filing application Serial Number 10/039,238 and the above-entitled divisional application Serial Number 10/768,264, we were employed by Kimberly-Clark Worldwide, Inc. and have assigned all rights to each of the applications to Kimberly-Clark Worldwide, Inc.

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4. We are submitting this Declaration to establish conception of the invention of the subject matter of claim 1 in the United States prior to June 20, 2001, the priority date of WO 02/102665 (Lam et al.), coupled with diligence from prior to such date to the filing date of the '238 application.

5. We were not aware of WO 02/102665 (Lam et al.) prior to the filing of the '238 application.

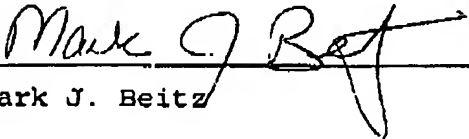
6. Exhibit A, attached hereto, provides facts and evidence in support of this Declaration. Exhibit A is an invention disclosure form disclosing the subject matter of the present application. Invention disclosures are prepared by inventor/employees of Kimberly-Clark Worldwide, Inc. in the regular course of business. While all dates identified in the disclosure of Exhibit A have been blocked out, each said date is prior to June 20, 2001, the priority date of WO 02/102665 (Lam et al.).

7. We worked with outside counsel in the preparation of the '238 application and received a draft of the application on December 28, 2001. We continued to work with outside counsel to finalize the application for filing on December 31, 2001.

8. We further declare that all statements made herein are of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such

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willful false statements may jeopardize the validity of the  
application or any patent issuing thereon.

  
Mark J. Beitz

4 January 2006  
Date

  
Alissa R. Bruss

4 January 2006  
Date

\_\_\_\_\_  
Robert J. Makolin

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Date

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